

FALL TOWN MEETING WARRANT
TOWN OF WALPOLE
COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

To any constable in the Town of Walpole

Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify the inhabitants of the Town of Walpole, qualified to vote in elections in town affairs, to meet in the Auditorium of the Walpole High School in said Walpole on the

THE THIRD MONDAY IN OCTOBER, IT BEING THE
18th DAY OF SAID MONTH, 2004

at 7:30 p.m. then and there to see if the Town will vote to amend the By-laws and Zoning By-laws to said Town and act on the following articles:

ARTICLE 1: To hear and act on the report of any committee or to choose any committee the Town may think proper and transact any other business that may legally come before the Town. (Petition of the Board of Selectmen)

ARTICLE 2: To see if the Town will vote to rezone land at the intersection of Washington and High Plain Streets currently zoned Business (B) to Residence B (RB) as shown on the Town of Walpole Assessors Maps as a portion of Parcel 35-5 and shown on a plan entitled "Rezoning Plan of Land in Walpole, MA" Scale 1"-200' dated August 2, 2004, by John R. Anderson & Associates, 281 Mylod Street, Walpole, MA and more particularly described as beginning at the intersection of the centerlines of Washington Street and High Plain Street, thence running generally northeasterly, along the centerline of Washington Street about 435 feet, to a corner of the existing Residence B (RB) Zone, thence generally southeasterly, along the existing Residence B (RB) Zone Line, and partially along the property line between Assessors Parcels 27-238 and 35-5, about 400 feet, thence generally southwesterly, along the existing Residence B (RB) Zone Line, and partially along the property line between Assessors Parcels 35-6 and 35-5, about 385 feet, to the centerline of High Plain Street, thence generally northwesterly, along the centerline of High Plain Street, about 410 feet, to the point of beginning, containing about 3.8 acres, and take any other action as may be necessary thereto. (Petition of David L. Wakefield, et al)

ARTICLE 3: To see if the Town will vote to amend Section 7 Site Plan Review of the Zoning Bylaws by removing in its entirety the existing Section 7 and replacing it with a new Section 7 as follows:

Section 7 Site Plan Review

7-A. Purpose and Intent. It is in the Town's interest to promote functional and aesthetic design, construction, and safe maintenance of all development and to minimize any harmful effects on surrounding areas, while simultaneously respecting the provisions of M.G. L. c. 40A sec. 3. The intent of the Site Plan Review process is to regulate rather than prohibit uses through reasonable conditions that may be required by the Planning Board concerning location of buildings, signs, open space landscaping, parking areas, storage areas, access and egress, drainage, sewage, water supply, and fire safety.

7-B Applicability. Site Plan review is required for:

- (a) all new multi-family, commercial and industrial construction, and all multi-family, commercial and industrial additions (including outbuildings), alterations or reconstruction exceeding 500 gross square feet or an expansion of the current building footprint by not more than two-percent (2%) whichever is the greater;
- (b) construction or creation of any new parking lot or the expansion, or redesign of an existing parking lot with more than six (6) parking spaces;
- (c) creation of all outdoor storage areas for vehicles, machinery or supplies, or expansion of existing areas by more than 5%;
- (d) all uses requiring a special permit, except one and two family residences; and
- (e) municipal uses and institutional uses shall also be subject to Site Plan review consistent with the criteria in subsections (a) through (d) above,.

7-C Relationship to Special Permit Process. When a project requires both a special permit and site plan review the Planning Board, in order to expedite the review process, shall consider both requirements as part of one public meeting or extensions as required. Within the prescribed review period for a special permit, the Planning Board shall take all actions relative to the proposal regarding site plan review and special permit conditions. In all instances, projects requiring a special permit shall be required to conform to the standards and criteria for a full site plan review, see sections 7G and 7H.

7-D Relationship to the Building Permit. The Building Inspector shall not issue a building permit unless and until a Site Plan review has been reviewed and approved for all applicable development. In the instance of a full site plan review; no building permit shall be issued until a letter with Site Plan conditions, if any, has been forwarded to the building inspector by the Planning Board. Further:

(1) No occupancy permit shall be issued for any activity or use within the scope of this section unless a Site Plan has been approved, and constructed in accordance with the approved Site Plan.

(2) No activity within the scope of this section shall be carried out without an approved Site Plan. Any work done in deviation from an approved Site Plan shall be a violation of this Bylaw, unless such deviation is approved in writing by the Planning Board. The Planning Board shall review the request for deviating from the approved site plan and make findings that the public health, safety, and public utilities will not be adversely impacted and that the proposed deviations are not a significant detriment to the achievement of any of the purposes set forth in this section.

(3) Approval of a Site Plan under this section shall not substitute for the requirement of obtaining a special permit or other forms of relief as required by the Zoning Bylaw.

7 E Site Plan Review Responsibility. The Planning Board shall be designated as the body responsible to review and approve site plans. Further, the Planning Board may request assistance of architects and engineers and other professionals during its deliberations consistent with peer review procedures and guidelines established by the Commonwealth.

7-F Limited Site Plan Review. Any person desiring approval for a limited site plan review under this section shall submit a time stamped project description to the Building Inspector or designee for a determination as to whether the development plan qualifies for a Limited Site Plan Review. It shall be the responsibility of the applicant to prepare a project description that accurately conveys the nature, scale, conceptual design or layout, and the general physical, operational relationship of the proposed project to the surrounding area, and any additional information the applicant may deem pertinent. As part of the project description submission the applicant may request waivers from site plan submission criteria listed in Section 7-I that the applicant believes is not germane to the proposed development.

Within 10 days of receipt of the project description, the Building Inspector or designee shall make a decision regarding the applicability of limited or full site plan review, and a decision on any requested waivers from site plan conditions or submission materials. At any time during the 10-day period the Building Inspector may request additional information from the applicant, and to facilitate the acquisition of said materials the Building Inspector may grant a one time extension of up to 10 days.

The Building Inspector or designee may consult with the Town Planner and Town Engineer or any other applicable town officials or departments. Further, the Building Inspector or designee shall put in writing the reasons waivers that may be granted, and said waiver decision shall be made part of the site plan application. The decision to grant waivers shall be subject to but not limited to the following: existing man made site conditions, existing natural conditions, the limited scale of the proposal, limited lot size,

and pre-existing and germane site data. If a decision regarding the applicability of limited site plan review is not made within 10 days, the application shall be deemed subject to a limited site plan review, and the 21 day limited site plan review period shall commence. Applications that qualify for limited site plan review shall not require an endorsement of the Planning Board unless relief is requested.

Applications for Limited Site Plan Review shall be deemed appropriate for review if either of the following two conditions is satisfied and the proposed use is allowed by right:

- (1) The proposed building or addition has a gross area of not more than 2,500 square feet or less.
- (2) The proposed addition or new building would result in the creation of not more than six parking spaces or an increase of less than 10% in the current parking capacity, whichever is greater.

Further, no application for a limited site plan review will be approved if the property and/or buildings in question have been approved for a limited site plan review for on site development or improvements within the previous ten years.

If the application is determined to be consistent with the limited site plan review criteria, the Building Inspector or designee shall notify the applicant, and upon written notification the 21 day limited site plan review period shall commence, see section 7-J for site development standards.

Within 21 days of the decision regarding the approval of a limited site plan review process the Building Inspector shall approve the application as submitted or approve with conditions. The Building Inspector or designee may consult with other town departments, as he or she deems necessary. However, lack of comments from other Town Departments shall not cause the review period to be extended.

However, during the 21 day review period for limited site plan review, if the Building Inspector or designee finds that a particular proposal, regardless of size or parking expansion characteristics may create significant public safety problem the Building Inspector or designee may require a Full Site Plan Review, with or without waivers from the full site plan review submission criteria, see Section 7-H. In said instance, the Building Inspector or shall put his or her reasons in writing, and said document shall be made part of the site plan submission materials for full site plan review.

7-G Full Site Plan Review Submission and Review Procedure

1. The applicant shall submit nine (9) copies of said plan with application for approval thereof, including a Town of Walpole Development Impact Statement, and review fee directly to the Planning Board. Upon receipt of the application and associated material the Planning Board shall time stamp the request for Site Plan Review Application.

Neither the time stamping nor the site plan review shall take place until all required materials have been submitted. The Planning Board, within 5 days, shall be responsible for distributing one copy to each of the following; the Conservation Commission, Engineering Department, Town Planner, Building Inspector, Board of Health, Police Chief, Fire Chief,, and the Water and Sewer Department. All town departments listed above shall have 35 days to submit comments to the Planning Board, failure of any local department to respond within the 35 day period shall not preclude the Planning Board (SPRC) from proceeding with the Site Plan Review schedule.

2. The Planning Board shall hold a public project meeting with the applicant no later than 35 days after submission of the proposed Site Plan to the Planning Board.

3. The Planning Board shall hold as many meetings as necessary within a 65-day review period to review the proposal. However, no later than 65 days from the date of the submission, the Planning Board shall provide its site plan decision in writing to the Building Inspector, except that at the request of the applicant the Planning Board may grant an extensions of the review period. At the conclusion of the 65-day review period or an extended review period, the Planning Board shall approve the application as submitted or approve with conditions. A majority vote of the full Planning Board shall be required to approve all site plans and site plan review conditions.

4. If no action is taken within 65 days or during the extended review period, the application shall be deemed approved as submitted.

5. One copy of the approved Site Plan shall be provided each to the applicant, and to the Town Engineer and the Building Inspector. Further, one copy, in an electronic media format acceptable to the Town, shall also be provided to the Town Engineer.

6. An As-Built Plan and a letter of certification shall be submitted to Building Inspector, prior to the granting of an occupancy permit, by a Registered Engineer, Registered Architect, Registered Landscape Architect or Registered Land Surveyor, or combination thereof, as appropriate. Said certificate shall indicate, that all work has been done substantially in compliance with the approved Site Plan, or any modifications to the site plan as approved by the Planning Board, see Section 7-D(2)

7-H Full Site Plan Review Submission. The Site Plan shall include one or more appropriately scaled maps, but not to exceed one inch equals forty feet, and stamped by a Registered Engineer, Registered Architect, Registered Landscape Architect or Registered Land Surveyor, as appropriate to the work involved, except that the water and sewer portion of the Site Plan must be stamped by a Registered Engineer. At minimum, a Site Plan submission shall include the following as applicable:

- 1) Cover letter describing the nature and location of the project and the site, including a legal description of the property, complete dimensions and area, the zoning classification(s) that apply to the property, assessor's map and lot numbers, and the

name and address of the property owner and the applicant, if different from the property owner.

- 2) Parcel lot lines for the proposed project and surrounding parcels, and a locus plan at a scale of 1 inch per two hundred feet.
- 3) Complete parking and traffic circulation plan, if applicable, showing location and dimensions of parking stalls, driveway openings, dividers, islands, bumper stops, required buffer areas and planting beds.
- 4) Proposed surface treatment of paved areas and the location and design of drainage systems with drainage calculations prepared by a registered engineer.
- 5) Location of existing and proposed buildings and public or private ways on the project site, including all public and private easements.
- 6) Height and use of all buildings abutting the proposed project, including a building or buildings directly across from the proposed project but separated by a public or private right of way.
- 7) Estimated average daily traffic and peak hour traffic to be generated by the proposal. Further, a traffic impact plan indicating impacts, if any, to surrounding intersections servicing the project site if the proposed project generates more than 500 vehicular trips per day. The determination of traffic generation rates shall require professional analysis standards prepared by the Institute of Traffic Engineers (ITE) or any similar professional organization acceptable to the Planning Board.
- 8) Rendering of all elevations of proposed buildings and structures.
- 9) Location, size and type of signage.
- 10) Foundation lines of the proposed buildings, gross floor area, and building height
- 11) Location of solid waste containers.
- 12) Existing and proposed topographical contours of the property taken at two-foot (2') contour intervals by a registered engineer or registered land surveyor.
- 13) The location of wetlands, streams, water bodies and other natural features located on the property or within 100 feet of the perimeter of the site.
- 14) Areas subject to a 100 year flood, if any.
- 15) Existing and proposed utilities and storage facilities, including sewer connections, septic systems, wells and any storage tanks, noting applicable approvals, if received.
- 16) Lighting plan showing the location, height, direction, and intensity of existing and proposed external light fixtures.
- 17) A landscaping plan showing the location, name, number and size of plant types, and the locations and elevation and/or height of planting beds, fences, walls, steps and paths of the existing site and proposed site plan including the screening proposed for any tanks, solid waste or utility related structures.
- 18) Location of all required open space.
- 19) Location and type of all historically significant structures, historic walls or similar features, including an indication of their protective status, if any.
- 20) Location of all water resource protection areas if any portion of the size lies within 1,000 feet of a DEP approved or interim groundwater or surface water protection zone.

Additional information may be required by the Planning Board, as reasonably necessary, to make determinations required by this section of the bylaw.

7-I Site Plan Review Criteria. At minimum, the Planning Board shall review all Site Plans for the following:

- 1) Consistency with the design and character of the surrounding area, such as but not limited to height, mass, setbacks, and traditional building materials.
- 2) Consistency with the Site Development Standards of this bylaw.
- 3) Consistency with any sign or design guidelines, landscaping and buffering requirements issued by the Planning Board.
- 4) Consistency with the Walpole Master Plan and with the most recent Open Space and Recreation Plan.
- 5) Protection and enhancement of important existing site features, natural and man-made.
- 6) Protection of adjoining premises against detrimental uses by provision of surface water drainage, sound and light barriers, preservation of light and air, noise impacts, and preservation of views when possible.
- 7) Convenience and safety of vehicular and pedestrian movement within the site, the location of driveway openings in relation to traffic and/or adjacent streets, see Section 7-H(7)
- 8) Adequacy and arraignment of parking and loading spaces, and the ability of the Site Plan to accommodate parking in areas other than the front of the building.
- 9) Consistency with all applicable dimensional regulations of the Zoning Bylaws.

7-J Site Development Standards. Applicants for both Limited and Full Site Plan Review must make every reasonable effort to achieve consistency with the following site development standards:

- 1) Conserve and protect natural features that are of some lasting benefit to the site, its surrounding area and the town at large.
- 2) Protect slopes in excess of fifteen (15%) percent against erosion, runoff, and unstable soil, trees and rocks. Appropriate measures shall be taken to stabilize the land surface from unnecessary disruption. Stabilization measures shall be the responsibility of the property owner.
- 3) Buildings, structures, fences, lighting, and fixtures on each site shall be placed so as to not interfere with traffic circulation, safety, appropriate use and enjoyment of adjacent properties.
- 4) All roadway and driveway design shall take into consideration safe sight distances at intersections and along all traveled ways, in accordance with appropriate AASHTO requirements. As much as possible, clear sight distances shall take into account topography, density of dwelling units or intensity of use, and horizontal and vertical alignment.
- 5) Provide adequate illumination of parking lots and other areas for vehicular and pedestrian circulation. In a residential district, no freestanding illumination devices shall be installed to a height exceeding fifteen (15') feet. All illumination shall be directed and/or shielded so as not to shine beyond the perimeter of the site or interfere with traffic.

- 6) All areas designed for vehicular use shall be paved in accordance with the roadway and parking lot design standards the Town of Walpole.
- 7) All utility service transmission systems, including but not limited to water, sewer, natural gas, electrical and telephone lines, shall, whenever practicable, be placed underground.
- 8) All surface water runoff from structures and impervious surfaces shall be collected on site, but in no case shall surface water drainage be directed across sidewalks or public or private ways. In no case shall surface water runoff be drained directly into wetlands or water bodies. Drainage systems shall be designed using Best Management Practices to minimize the discharge of pollutants by providing appropriately designed vegetated drainage channels and sedimentation basins that allow for adequate settling of suspended solids and maximum infiltration. Oil, grease, and sediments traps to facilitate removal of contaminants shall precede all such drainage structures.

7-K Site Plan Review Fees. The Planning Board shall adopt site plan review fees for full and limited site plan review, and for modifications to an approved site plan. The limited site plan fee and modification of site plan review fee shall be less than the fee charged for full site plan review. All site plan fee information shall be available at the Walpole Planning Board. Further, the Planning board shall require, as it deems necessary, the peer review of any or all reports and documents submitted by the applicant. The applicant shall be required to fund all peer review studies consistent with the requirements established by the Commonwealth of Massachusetts.

7-L Appeals. Applicants for a Site Plan review for projects allowed as of right may appeal any conditions approved by the Building Inspector as part of limited site plan review or Planning Board as part of a full site plan review to the Walpole Board of Appeals. A Full Site Plan Review applicant may appeal to the Board of Appeals from any site plan conditions imposed by the Planning Board, within thirty (30) days after the written site plan decision has been issued.

7-M Modification of Site Plan. The Planning Board shall have the power to modify or amend its approval of a site plan on application of the person owning or leasing the premises, or upon its own motion in the event of changes in physical conditions sufficient to justify such action within the intent of this section. All of the provisions of this section applicable to approval shall, where apt, be applicable to such modification or amendment.

or to take any action in relation thereto. (Petition of the Planning Board)

ARTICLE 4: To see if the Town will vote to amend the Zoning Bylaws by incorporating a new zoning district, entitled Highway Business (“HB”) and the regulations therefore, and to amend the official Town of Walpole Zoning Map by mapping the “HB” District as shown on the map in the Planning Board Office in Walpole Town Hall entitled “Proposed Highway Business District, as follows:

A. In Section 2-A, add the following entry under “Type 3 Non-Residence Districts:

HB – Highway Business District: The purpose of this district is to provide for retail, office, research and development, assembly, and manufacturing uses and all accessory uses related to said uses consistent with uses along a major regional highway, and all related accessory uses.

B In the Section 3-B Schedule of Use Regulations, add a new district column with the heading “HB”, under which the same uses shall be permitted as are permitted in the LM District, except for use category 3-B(5), which shall be an allowed (A) use in the HB, instead of a Special Permit SP1 use as in the LM district.

C. Add a new entry for the Highway Business (HB) District to the Section 4-B Chart for Dimensional Regulations, specifying the same dimensional regulations for the HB District as those specified for the Limited Manufacturing (LM) District except for: Maximum Lot Coverage By Structures which will be 50%, Maximum Lot Coverage by Structures and Other Impervious Surfaces which will be 90%; and Maximum Building Height which will be 45’ but not more than 4 stories.

Or take any action in relation thereto. (Petition of the Planning Board)

ARTICLE 5: To see if the Town will amend the Zoning Bylaws, Section 4-B, Chart of Dimensional Regulations by:

A. Adding the phrase “but not more than 2.5 stories” to the Maximum Building Height (feet) column entries for the following districts: Park, School, Recreation and Conservation; Rural; Residence A; Residence B; and General Residence;

B. Inserting the number “15,000” in the “Required Lot Area” column for the Business District, and the number “100” in the “Required Lot Frontage” column for the Business District and adding the phrase “but not more 3 stories” to the “Maximum Building Height (feet)” column entry for the Business District

C. Changing the entries in the “Maximum Lot Coverage by Structures” and the “Maximum Lot Coverage by Structures & Impervious Surfaces” columns from 75% to 90% for the Central Business District (CBD), and adding the phrase “but not more 4 stories” to the “Maximum Building Height (feet)” column entry for the Central Business District (CBD).

D. Adding the phrase “but not more than 3 stories” to the Maximum Building Height (feet)” column entry for the Central Business District (CBD).

E. Adding a new footnote (r) in the Explanatory notes to the Chart to read as follows: “When at least 30 parking spaces are provided at grade but under a building and screened from view, or are provided below grade in the Highway Business or Industrial Districts, the building height may be increased by 12 feet or one additional story”; and by

annotating the title of the “Maximum Building Height (feet)” column with the footnote (r) reference.

or to take any action in relation thereto.(Petition of the Planning Board)

ARTICLE 6: To see if the Town will vote to amend Section 1-C Definitions and Section 3-B Schedule of Use Regulations, as follows:

A. Add the following new definition of “Artist Live/Work Space” to Section 1-C, after the definition of the term “Adult Video Store”:

Artist Live / Work Space: A residential use that permits up to 50% of a residential dwelling unit to be used for the production of art or various arts and crafts. Additionally, for the purposes of this bylaw, it shall also be construed to mean a building or buildings where a portion of the total space is used for residential purposes and other portions for the production, showing, and sale of art or various arts and crafts.

B. Amend the Section 3B Schedule of Use Regulations by deleting the term “Boarding or lodging house”, at the beginning of the use description in Subsection 3-B(3)(j) and substituting therefore the term “Bed and Breakfast”.

C. Amend the Section 3-B Schedule of Use Regulations by inserting the phrase “Rooming House”, at the beginning of the use description in Subsection 3-B(3)(m).

D. Add a new subsection to Section 3-F Temporary Uses as follows:

- (1) Uses such as Christmas tree sales shall be considered temporary uses and allowed in all commercial districts for a period not to exceed 35 days. A permit for temporary use from the building inspector shall be required. The building inspector may impose site plan conditions to insure that public health and safety issues are served.
- (2) Canopies of any type shall be permitted on a property within the required setbacks. However, canopies that are not constructed as an integral part of a building and are not permanently affixed to a building shall be considered temporary structures and shall require a permit from the building inspector. In all residential districts, canopies shall be limited to a duration of 14 days in any one calendar year; canopies in commercial districts shall be limited to 135 days in any one calendar year. The location of all canopies shall be subject to all setback requirements, unless the canopy is used only to provide shelter from the elements at a point of access. Further, the building inspector may impose site plan conditions to insure that public health and safety issues are served.

E. Add the following new definition of “Multi-Family Housing” to Section 1-C, after the definition of the term “Lot”:

Multi-Family Housing – Four or more units in one building, or in multiple buildings, located on one lot.

or to take any action in relation thereto. (Petition of the Planning Board)

ARTICLE 7: To see if the Town will vote to amend Section 6 Sign Regulations of the Zoning Bylaws as follows:

- A. Amend Section 6-F Accessory Signs in Non-Residential Districts. In Section 6-F, first sentence delete the initial clause “In an area in a non-residential district”, and replace it with “In the CBD or B district,”.
- B. In Section 6-F(3) in the fifth line delete the language “existing dwelling or residential property boundary line” and replace it with “existing residential district zoning boundary line”.
- C. Create a new subsection 6-F(1) as follows:

Accessory signs in the LM, HB and IND district shall be subject to the same regulations as provided in Section 6-F above. Accessory signs attached to walls in the HB and IND districts shall be permitted to be 10% of the wall area to which they are attached but not more than 100 square feet, except if the sign is located along US Route 1 where 150 square feet shall be allowed. Directory signs shall be determined on the basis of two square feet for each establishment; and standing signs shall be permitted to 100 square feet, except if located along US Route 1 where 150 square feet shall be allowed. However, the bottom of the frame of standing signs shall be not less than eight feet from ground level, and shall be internally illuminated by a steady light and directed to the lettering only, unless as part of site plan review the Planning Board determines that an alternative exterior lighting plan is consistent with the materials used for the sign and the associated lighting plan is not detrimental to abutting uses.

A ground sign, defined as a standing sign attached to the ground along the base of the sign, may be substituted for a standing sign in the LM, HB and IND Districts, if it meets the setback and lighting requirements of a standing sign, and further that at no point does the sign exceed five feet in height.

or to take any action in relation thereto. (Petition of the Planning Board)

ARTICLE 8: To see if the Town will amend Section 5 Parking Regulations of the Zoning Bylaws as follows:

- A. Add to the initial paragraph of Section 5-A, Required Spaces, the following sentence:

All parking spaces required by this section shall be paved, signed, and striped in accordance with the requirements of the Town of Walpole.

B. Amend Subsection 5-A(2)(i) by changing the phrase “one (1) space for each dwelling unit” to “.75 spaces for each dwelling unit”, and amend Subsection 5-A(2)(ii) by changing the phrase “one (1) space for each residential unit” to “.75 spaces for each residential unit.”

C. Amend 5-A (6) by changing the phrase “six hundred (600) square feet” to “one-thousand (1000) square feet”.

D. Add the following new Subsection 5-A(10):

(10) Storage Containers. Any storage container, defined herein as a non-mobile stand alone structural unit designed for commercial and industrial storage, accessory and in support of the principal commercial or industrial activity on site shall require a special permit from the Planning Board. At a minimum the Planning Board shall require that storage containers be located in areas currently providing off-street parking and that one for one, appropriately located and constructed, replacement off-street parking spaces are provided. Further, that for every 50 gross square feet of lot area used by the storage container, one additional off-street parking space shall be provided, appropriately located, and constructed.

or to take any action in relation thereto.(Petition of the Planning Board)

ARTICLE 9: To see if the Town will vote to amend the Zoning Bylaws, Section 3-J, Age Qualified Village, by deleting Subsection 3-J(4)(g) in its entirety, and by renumbering Subsection 3-J(4)(h) as 3-J(4) (g);
or to take any action in relation thereto. (Petition of the Planning Board)

ARTICLE10: To see if the Town will vote to amend the Zoning Bylaws Section 4-C Special Conditions, by adding the following sentence to the end of paragraph (3) (a) Lot Frontage and Area:

In the Rural Residence District, Residence A District and Residence B District, except for a corner lot, a lot shall only be deemed to have lot frontage along any street to which it has both legal and direct physical access.

or take any action in relation thereto. (Petition of Craig Perry et al.)

ARTICLE 11: To see if the Town will vote to amend the Zoning Bylaws Section 4-C Special Conditions by adding a new paragraph (14) as follows:

(14) Irregularly shaped Lots:

In the Rural Residence District, Residence A District and Residence B District, no building shall be constructed as a dwelling or a building so used on a lot unless a circle of diameter equal to fifty (50) percent of the Required Lot Frontage can pass continuously, without intersecting any lot line, from a point tangent to the Lot Frontage to any point within the area of the proposed building.

or take any action in relation thereto.(Petition of Craig Perry et al)

ARTICLE 12: To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money to fund the longevity payment for the Planning Board Secretary in accordance with the Town's personnel manual and policy, or take any action in relation thereto. (Petition of the Planning Board)

ARTICLE 13: To see if the Town will vote in accordance with the provisions of Chapter 126 of the Acts of 1988, amending Section 4 of Chapter 73 of the Acts of 1986; for those who qualified under Chapter 59, Section 5; additional real estate tax exemption of 50% of exemptions for which said taxpayer qualify under the provisions as set forth therein, or do or act anything in relation thereto (Petition of the Board of Assessors)

ARTICLE 14: To see if the Town will vote to raise and appropriate or transfer a sum or sums of money from available funds for the purpose of supplementing the stabilization fund as authorized by Chapter 40, Section 5B of the Massachusetts General Laws as amended, or take any action relative thereto. (Petition of the Board of Selectmen)

ARTICLE 15 : To see if the Town will vote to raise and appropriate, borrow, transfer to and/or from FY'2005 accounts appropriated at the 2004 Spring Annual Town Meeting, and/or transfer from available funds sums of money to defray departmental and incidental expenses of the Town for the fiscal year 2005 commencing July 1, 2004, or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 16: To see if the Town will vote to raise and appropriate, borrow and/or transfer a sum or sums of money as may be required for the purchase of capital equipment, including but not limited to vehicles, machinery, and computer/network systems, for the various departments of the Town of Walpole or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 17 : To see if the Town will vote to raise and appropriate, borrow and /or transfer a sum or sums of money to resurface, repair and/or reconstruct certain streets and/or sidewalks, to make drainage improvements in certain Town roads, and to rebuild certain manholes and catch basins in the Town or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 18: To see if the Town will vote to raise and appropriate, borrow and /or transfer a sum or sums of money to implement a Capital Improvement Program, to protect, improve, and/or modify the physical infrastructure, including but not limited to municipal buildings, facilities, parking lots, fields and other properties, of the Town of Walpole or to take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 19: To see if the Town will vote to rescind the following amounts of un-issued debt.

Amount Rescinded
\$118,651

Warrant Article and Town Meeting
Article 15, FATM October 16, 1995

\$ 217	Article 43, SATM April 7, 1997
\$134,825	Article 41, SATM April 1, 1996
\$ 6,000	Article 9, SATM April 6, 1998
\$ 450	Article 35, FATM October 19, 1998
\$126,000	Article 32, SATM April 9, 1999
\$ 3,000	Article 15, SATM, May 1, 2000
\$103,000	Article 7, SPTM January 29, 2001
\$143,865	Article 38, SATM May 6, 2002
or take any other action relative thereto. (Petition of the Board of Selectmen)	

ARTICLE 20: To see if the Town will vote to accept awarded grants from State, Federal, private, and/or non-profit Agencies and to expend said funds without further appropriation and to raise and appropriate, borrow, and/or transfer a sum of money for required matches to such grants or take any action in relation thereto. (Petition of the Board of Selectmen)

ARTICLE 21: To see if the Town will vote to authorize the Board of Selectmen to enter into an agreement with the Commonwealth of Massachusetts, Executive Office of Transportation and Construction for acceptance of the PWED Grant for the East Walpole Revitalization Project and further, to meet such appropriation that the Treasurer, with the approval of the Board of Selectmen, be authorized to borrow funds in anticipation of grant fund receipts, or take any action in relation thereto (Petition of the Board of Selectmen)

ARTICLE 22: To see if the Town will vote to transfer from Free Cash a supplemental sum of money in the amount of \$485,198 for the FY05 School Budget or take any action in relation thereto. (Petition of the School Committee)

ARTICLE 23: To see if the Town will vote to transfer a portion of a town owned parcel described as Assessor's Map 35 Lot 248 consisting of 8,125 \pm s.f. off Summit Ave, to the Board of Selectmen for the purpose of conveyance and to authorize said conveyance, upon such terms and conditions as the Board of Selectmen deem appropriate or take any action in relation thereto. (Petition of the Sewer and Water Commission)

And you are hereby directed to serve this warrant by posting attested copies thereof in at least two public places in each precinct in said Town not less than seven days before the day appointed for said meeting.

Hereof fail not make due return of this warrant with your doings thereon to the Town Clerk before the day set for said meeting.

Given under our hands and the seal of the Town this 21st day of September in the year Two Thousand and Four.

BOARD OF SELECTMEN

By virtue of the within warrant I have notified the inhabitants of the Town of Walpole qualified to vote in elections and town affairs, to meet at the time and place for the purpose mentioned in said warrant by posting attested copies thereof in at least two public places in each precinct of said town not less than seven days before the day appointed for said meeting.

Constable of Walpole

Date Posted

8/23/2004

8/31/2004 Deleted 2 planning Board articles and renumbered.

9/1/2004 Amended per Town Counsel and renumbered (there were two 19's)
for non zoning articles.

9/17/2004 Remove article sponsored by School Dept, Parking spaces
Updated version of Planning Board articles

9/20 2004 Moved Assessors Article and renumbered